BILL NO. S-90-05-36

SPECIAL ORDINANCE NO. S-126-90

AN ORDINANCE approving the awarding of Reference #937 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **SENSUS TECHNOLOGIES, INC. AND BADGER METER, INC.** for the Water Maintenance & Service Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #937 between the City of Fort Wayne, by and through its Department of Purchasing and **SENSUS TECHNOLOGIES, INC. AND BADGER METER, INC.** for the Water Maintenance & Service Department, is hereby ratified, and affirmed and approved in all respects, respectfully for:

> **the purchase of water meters for 1990 for the Water Maintenance & Service Department;**

involving a total cost of Three Hundred Ninety-Five Thousand Two Hundred Fifty-Eight and 85/100+/- Dollars ($395,258.85+/-); (SENSUS TECH - $148,557.85+/-; BADGER METER - $246,701.00).

SECTION 2. Prior Approval has been requested from Common Council on May 22, 1990. Two copies of said Reference are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay, City Attorney

5-22

THE CITY OF FORT WAYNE

May 15, 1990

The Common Council
Fort Wayne IN

RE: Reference No. 937

Gentlemen and Mrs. Bradbury:

The Department of Purchases respectfully requests "Prior Approval" of Reference No. 937, with respect to the purchase of water meters for Water Maintenance & Service for 1990. Due to time constraints involved, the Department would like a "Prior Approval". The costs reflect the most responsive of four (4) vendors and should be split between Sensus Technologies in the amount of $148557.85+/- and Badger Meter in the amount of $246701.00+/-. These will be assigned a price agreement numbers upon Councilmanic Approval.

DEPARTMENT OF PURCHASES

Gloria J. Goeglein

Gloria J. Goeglein
APPROVED

CITY OF FORT WAYNE

Paul Helmke, Mayor

ATTEST:

Sandra Kennedy, City Clerk

Attachment

REF. NO.:	937
DEPT.:	WATER MAINTENANCE
DATE:	5/11/90
ITEM/SERV.:	WATER METERS

PURCHASING INFORMATION

ADVERTISED BID:	YES
DATES ADVERTISED:	3/20 & 3/27
OPENING DATE:	4/12/90
WRITTEN QUOTE:	
DUE DATE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	6
NO. OF VENDORS RECEIVING BID:	4
NO. OF VENDORS RETURNING BID:	4
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	2
DATE SENT TO DEPT FOR RECOMM.:	4/16/90
DATE RECOMMENDATION REC'D IN PURCH:	5/10/90
COUNCIL INFORMATION	DATES SENT EXTENSION DATES
DATE INFO SENT TO LAW DEPT.:	5/11/90
INTRODUCTION DATE:	5/22/90
DISCUSSION DATE:	6/5/90
PASSAGE DATE:	6/12/90
ORDINANCE NO.:	

AMOUNT APPROVED AND/OR SPENT
LAST YEAR: (IF APPLICABLE)

REFERENCE NO. 937
WATER METERS

WATER METERS - W/REMOTE

SIZE	QTY +/-	MUELLER CO		KENT METERS		SENSUS TECHNOLOGIES		BADGER METER	
5/8"	1500	N/B	$0.00	$36.29	$54,435.00	$41.15	$61,725.00	$35.50	$53,250.00
5/8" X 3/4"	4200	N/B	$0.00	$36.29	$152,418.00	$41.50	$174,300.00	$35.50	$149,100.00
3/4"	50	N/B	$0.00	$55.37	$2,768.50	$61.50	$3,075.00	$59.90	$2,995.00
1"	40	N/B	$0.00	$83.27	$3,330.80	$85.29	$3,411.60	$82.95	$3,318.00
1 1/2" TURBO (W/13" LAY IN SIZE)	20	N/B	$0.00	$278.00	$5,560.00	$414.33	$8,286.60	N/B	$0.00
2" COMPOUND	5	$716.25	$3,581.25	$856.00	$4,280.00	$896.73	$4,483.65	$912.00	$4,560.00
2" TURBO	5	$330.00	$1,650.00	$315.00	$1,575.00	$388.93	$1,944.65	$268.00	$1,340.00

METERS - REGULAR

3/4"	20	$65.25	$1,305.00	$43.02	$860.40	$44.75	$895.00	$48.00	$960.00
1"	60	$77.20	$4,632.00	$69.89	$4,193.40	$67.41	$4,044.60	$69.00	$4,140.00

METERS - LARGE

1 1/2" TURBO (W/13" LAY IN SIZE)	50	$176.00	$8,800.00	$223.00	$11,150.00	$278.50	$13,925.00	N/B	$0.00
2" TURBO	50	$250.25	$12,512.50	$223.00	$11,150.00	$336.60	$16,830.00	$258.00	$12,900.00
2" COMPOUND	80	$680.00	$54,400.00	$700.00	$56,000.00	$844.40	$67,552.00	$902.00	$72,160.00
3" TURBO	15	$374.25	$5,613.75	$300.00	$4,500.00	$487.50	$7,312.50	$361.00	$5,415.00
3" COMPOUND	15	$1,000.00	$15,000.00	$950.00	$14,250.00	$936.00	$14,040.00	$1,010.00	$15,150.00
3" FIRE HYDRANT	10	$470.00	$4,700.00	$411.00	$4,110.00	$490.50	$4,905.00	$428.00	$4,280.00
4" TURBO	5	$600.00	$3,000.00	$570.00	$2,850.00	$933.00	$4,665.00	$543.00	$2,715.00
4" COMPOUND	5	$1,612.50	$8,062.50	$1,250.00	$6,250.00	$1,575.00	$7,875.00	$1,660.00	$8,300.00
4" FIRE LINE	1	$2,386.00	$2,386.00	N/B	$0.00	$4,224.00	$4,224.00	$1,463.75	$1,463.75
6" TURBO W/STRAINER	6	$1,572.00	$9,432.00	$1,375.00	$8,250.00	$2,108.00	$12,648.00	$1,486.00	$8,916.00
6" TURBO	2	$1,238.00	$2,476.00	$1,075.00	$2,150.00	$1,827.00	$3,654.00	$1,236.00	$2,472.00
6" FIRE LINE	4	$3,244.00	$12,976.00	N/B	$0.00	$5,808.00	$23,232.00	$2,105.00	$8,420.00
			$150,527.00		$350,081.10		$443,028.60		$361,854.75

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 4-12-90 @ 11:00 AM BID REFERENCE #: 937

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR WATER METERS PER SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE

THIS BID REQUIRES A XXXXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: 0 % IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME SENSUS TECHNOLOGIES, INC.

STREET ADDRESS BAILEY & GALLATIN AVES., P.O. BOX 487

CITY UNIONTOWN, PA 15401 PHONE # (412) 430-4050

BY David L. Ewing DAVID L. EWING
REPRESENTATIVE SIGNATURE

WATER METERS - W/REMOTE

SIZE	QTY +/-	BRAND NAME	BRAND NO.	UNIT COST	/ TOTAL
5/8"	1500	SR		41.15	/ 61,725.00
5/8" X 3/4"	4200	SR		41.50	/ 174,300.00
3/4"	50	SR		61.50	/ 3,075.00
1"	40	SR		85.29	/ 3,411.60
1 1/2" TURBO (W/13" LAY IN SIZE)	20	W-120		414.33	/ 8,286.60
2" COMPOUND	5	SRH		896.73	/ 4,483.65
2" TURBO	5	W-160		388.93	/ 1,944.65

METERS - REGULAR

3/4"	20	SR		44.75	/ 895.00
1"	60	SR		67.41	/ 4,044.60

METERS - LARGE

1 1/2" TURBO (W/13" LAY IN SIZE)	50	W-120		278.50	/ 13,925.00
2" TURBO	50	W-160		336.60	/ 16,830.00
2" COMPOUND	80	SRH		844.40	/ 67,552.00
3" TURBO	15	W-350		487.50	/ 7,312.50
3" COMPOUND	15	SRH		936.00	/ 14,040.00
3" FIRE HYDRANT	10	W-125		490.50	/ 4,905.00
4" TURBO	5	W-1000		933.00	/ 4,665.00
4" COMPOUND	5	SRH		1575.00	/ 7,875.00
4" FIRE LINE	1	W-1000 DRFL		4224.00	/ 4,224.00
6" TURBO W/STRAINER	6	W-2000		2108.00	/ 12,648.00
6" TURBO	2	W-2000		1827.00	/ 3,654.00
6" FIRE LINE	4	W-2000 DRFL		5808.00	/ 23,232.00
				TOTAL:	$ 443,028.60

SENSUS
TECHNOLOGIES, INC.

Bailey & Gallatin Avenues
P.O. Box 487
Uniontown, PA 15401
(514) 592-1209
800-448-9908 (service à la clientéle)
FAX (412) 439-7729

April 5, 1990

City of Fort Wayne
Department of Purchasing
Room 350
City-County Building
Fort Wayne, IN 46802

Subject: Bid #937 - Annual Requirements for Water Meters
April 12, 1990 at 11:00 A.M.

Gentlemen:

In accordance with your recent advertisement for the purchase of water meters, enclosed please find your proposal forms duly executed with our prices indicated thereon.

Our bid bond in the amount of $23,000.00 has been enclosed.

Also enclosed please find descriptive literature, guarantees and our maintenance plan bulletins.

Our terms are net 30 days and delivery is stock to 45 days after receipt of order.

Thank you for the opportunity to submit our bid.

Yours truly,

W. H. Oberleitner

W. H. Oberleitner
Regional Sales Manager
Northern Marketing Region

WHO:dkz

Enclosures

cc: B. Haynes
C. Shultz
T. Harriger

Insurance Company of North America
a CIGNA company

PROPOSAL OR BID BOND

Bond No.: TO 02-25-38

CIGNA

KNOW ALL MEN BY THESE PRESENTS, THAT WE **Sensus Technologies, Inc.**
Bailey & Gallatin Avenues
Uniontown, PA 15401

as principal, and the INSURANCE COMPANY OF NORTH AMERICA, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, having its principal place of business at Philadelphia, Pa., as surety, are held and firmly bound unto **City of Fort Wayne, IN**
City/County Building, Room 350
Fort Wayne, IN 46802

as obligee, in the penal sum of **Twenty Three Thousand and 00/100 ($23,000.00)** DOLLARS, lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED, sealed and dated this **28th** day of **March** A. D. 1990

WHEREAS, the said principal is herewith submitting proposal for **Furnishing and Delivery of Water Meters**

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the aforesaid principal shall be awarded the contract, the said principal will within the period specified therefor, or, if no period be specified, within ten (10) days after the notice of such award enter into a contract and give bond for the faithful performance of the contract, then this obligation shall be null and void, otherwise the principal and the surety will pay unto the obligee the difference in money between the amount of the bid of the said principal and the amount for which the obligee may legally contract with another party to perform the work if the latter amount be in excess of the former; in no event shall the liability hereunder exceed the penal sum hereof.

PROVIDED AND SUBJECT TO THE CONDITION PRECEDENT, that any suits at law or proceedings in equity brought or to be brought against the Surety to recover any claim hereunder must be instituted and service had upon the Surety within ninety (90) days after the acceptance of said bid of the Principal by the Obligee.

SENSUS TECHNOLOGIES, INC.

F. G. Nunnally, Assistant Secretary

INSURANCE COMPANY OF NORTH AMERICA

By Rita A. McAndrew

Rita A. McAndrew, Attorney-In-Fact

POWER OF ATTORNEY

Insurance Company of North America
a CIGNA company

CIGNA

136502

Know all men by these presents: That **INSURANCE COMPANY OF NORTH AMERICA**, a corporation of the Commonwealth of Pennsylvania, having its principal office in the City of Philadelphia, Pennsylvania, pursuant to the following Resolution, which was adopted by the Board of Directors of the said Company on December 5, 1983, to wit:

"RESOLVED, That pursuant to Articles 3.18 and 5.1 of the By-Laws, the following Rules shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other writings in the nature thereof:

(1) That the President, any Senior Vice President, any Vice President, any Assistant Vice President, or any Attorney-in-Fact, may execute for and on behalf of the Company any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof, the same to be attested when necessary by the Corporate Secretary, or any Assistant Corporate Secretary, and the seal of the Company affixed thereto; and that the President, any Senior Vice President, any Vice President or any Assistant Vice President may appoint and authorize any other Officer (elected or appointed) of the Company, and Attorneys-in-Fact to so execute or attest to the execution of all such writings on behalf of the Company and to affix the seal of the Company thereto.

(2) Any such writing executed in accordance with these Rules shall be as binding upon the Company in any case as though signed by the President and attested to by the Corporate Secretary.

(3) The signature of the President, or a Senior Vice President, or a Vice President, or an Assistant Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to this Resolution; and the signature of a certifying Officer and the seal of the Company may be affixed by facsimile to any certificate of any such power, and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company.

(4) Such other Officers of the Company, and Attorneys-in-Fact shall have authority to certify or verify copies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company necessary to the discharge of their duties.

(5) The passage of this Resolution does not revoke any earlier authority granted by Resolutions of the Board of Directors adopted on June 9, 1953, May 28, 1975 and March 23, 1977."

does hereby nominate, constitute and appoint LORRAINE LINEHAN, DEBRA J. MOCHI, JANE B. RILEY, RITA A. McANDREW, JOANNE G. MALONE, and TIMOTHY H. FRENCY, all of the City of Boston, State of Massachusetts----------

---------- , each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding TWO MILLION FIVE HUNDRED THOUSAND ---------- DOLLARS ($2,500,000.) each, and the execution of such writings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, the said John B. Fitzgerald, Jr., Vice-President, has hereunto subscribed his name and affixed the corporate seal of the said **INSURANCE COMPANY OF NORTH AMERICA** this 5th day of May 19 89

INSURANCE COMPANY OF NORTH AMERICA

by J. B. Fitzgerald

JOHN B. FITZGERALD, JR., Vice President

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF PHILADELPHIA ss.

On this 5th day of May, A.D. 19 89, before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came John B. Fitzgerald, Jr., Vice-President of the **INSURANCE COMPANY OF NORTH AMERICA** to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia the day and year first above written.

(SEAL) COMMONWEALTH OF PENNSYLVANIA NOTARY PUBLIC

Julia Anna Rohana Notary Public

Julia Anna Rohana - Notary Public
Philadelphia, Philadelphia County, Pa.
My Commission Expires August 20, 1990

I, the undersigned, Secretary of **INSURANCE COMPANY OF NORTH AMERICA**, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a full, true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Secretary, and affixed the corporate seal of the Corporation, this 28th day of March 19 90

James S. Wyllie

James S. Wyllie Secretary

THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER May 5, 1991

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

THIS DOCUMENT PRINTED ON RED BACKGROUND

BS-33363 Ptd. in U.S.A.

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: April 3, 1990

1. Governmental Unit: City of Fort Wayne
2. County: Allen
3. Bidder (Firm): SENSUS TECHNOLOGIES, INC.
   Address: P.O. BOX 487
   City/State: UNIONTOWN, PA 15401
4. Telephone Number: (412) 430-4050
5. Agent of Bidder (if applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

David L. Ewing
Signature of Bidder or Agent

DAVID L. EWING

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF ~~INDIANA~~ PENNSYLVANIA)
) SS:
FAYETTE COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

SENSUS TECHNOLOGIES, INC.
Bidder (Firm)

David L. Ewing
Signature of Bidder or Agent

Subscribed and sworn to before me this 3rd day of April, 19 90.

My Commission Expires: NOTARIAL SEAL FRANK F. BODZIONY, NOTARY PUBLIC NORTH UNION TWP., FAYETTE COUNTY MY COMMISSION EXPIRES MAY 4, 1990

County of Residence:

Member, Pennsylvania Association of Notaries

Grant F. Bodziony
Notary Public

FRANK F. BODZIONY
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 4-12-90 @ 11:00 AM BID REFERENCE # 937

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

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THIS INVITATION FOR BID IS FOR WATER METERS PER SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE

THIS BID REQUIRES A XXXXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____% IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME BADGER METER, INC.

STREET ADDRESS 4545 W. Brown Deer Road

CITY Milwaukee, WI 53223 PHONE # (414) 355-0400

BY John W. Smilanich
REPRESENTATIVE SIGNATURE

John W. Smilanich, Assistant Vice President-Sales

WATER METERS - W/REMOTE

SIZE	QTY +/-	BRAND NAME BADGER	BRAND NO.	UNIT COST	/ TOTAL
5/8"	1500	Recordall	M25 Bronze*	35.50	/ 53,250.00
5/8" X 3/4"	4200	Recordall	M25 Bronze*	35.50	/ 149,100.00
3/4"	50	Recordall	M40 Bronze*	59.90	/ 2,995.00
1"	40	Recordall	M70*	82.95	/ 3,318.00
1 1/2" TURBO (W/13" LAY IN SIZE)	20			No Bid	/ No Bid
2" COMPOUND	5	Recordall	Compound*	912.00	/ 4,560.00
2" TURBO	5	Recordall II	Turbo*	268.00	/ 1,340.00
METERS - REGULAR					
3/4"	20	Recordall	M40 Bronze	48.00	/ 960.00
1"	60	Recordall	M70	69.00	/ 4,140.00
METERS - LARGE					
1 1/2" TURBO (W/13" LAY IN SIZE)	50			No Bid	/ No Bid
2" TURBO	50	Recordall II	Turbo	258.00	/ 12,900.00
2" COMPOUND	80	Recordall	Compound	902.00	/ 72,160.00
3" TURBO	15	Recordall II	Turbo	361.00	/ 5,415.00
3" COMPOUND	15	Recordall	Compound	1,010.00	/ 15,150.00
3" FIRE HYDRANT	10	Recordall	FH Turbo II	428.00	/ 4,280.00
4" TURBO	5	Recordall II	Turbo	543.00	/ 2,715.00
4" COMPOUND	5	Recordall	Compound	1,660.00	/ 8,300.00
4" FIRE LINE	1	Recordall	Turbo I	1,463.75	/ 1,463.75
6" TURBO W/STRAINER	6	Recordall II	Turbo **	1,486.00	/ 8,916.00
6" TURBO	2	Recordall II	Turbo	1,236.00	/ 2,472.00
6" FIRE LINE	4	Reacorall	Turbo I	2,105.00	/ 8,420.00
				TOTAL:	$361,854.75

*W/Read-o-Matic, W/25' Wire
**W/Bronze Strainer

Badger Meter, Inc. Utility Division

4545 W. Brown Deer Road, P.O. Box 23099
Milwaukee, WI 53223-0099 (414) 355-0400

April 9, 1990

City of Fort Wayne
Purchasing Department
Room 350 City-County Bldg.
One Main Street
Fort Wayne, IN 46802

Gentlemen:

This letter is attached to and becomes a part of our bid to furnish water meters. Bids to be received until 11:00 a.m., April 12, 1990.

We are bidding per the attached bulletins which illustrate and describe the meters we propose to furnish.

Terms are net, 30 days. Delivery of the meters can be made per the attached schedule.

Prices quoted in this bid, if awarded to Badger, will remain firm for one year if acceptance is made within ninety days.

In the event you have any questions concerning this bid, we suggest you contact our Northern Regional Office located at the above address.

The opportunity of submitting this proposal for your consideration is greatly appreciated.

Respectfully submitted,

BADGER METER, INC.

John W. Smilanich

John W. Smilanich
Assistant Vice President-Sales

jm

Enclosures

CNA INSURANCE COMPANIES

BID BOND

KNOW ALL MEN BY THESE PRESENTS: That we, BADGER METER, INC., a corporation organized and existing under the laws of the State of Wisconsin of Milwaukee, Wisconsin as---------- , Principal, and NATIONAL FIRE INS. CO. OF HARTFORD Surety, are held and firmly bound unto the City of Fort Wayne, Indiana as---------- , Obligee, in the sum of five percent----------

----------Dollars ($---5%---------) for the payment of which we bind ourselves, our legal representatives, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has submitted or is about to submit a proposal to Obligee on a contract for furnishing water meters.

NOW, THEREFORE, if the said contract be awarded to Principal and Principal shall, within such time as may be specified, enter into the contract in writing and give such bond or bonds as may be specified in the bidding or contract documents with surety acceptable to Obligee; or if Principal shall fail to do so, pay to Obligee the damages which Obligee may suffer by reason of such failure not exceeding the penalty of this bond, then this obligation shall be void; otherwise to remain in full force and effect.

Signed, sealed and dated

April 9, 1990

BADGER METER, INC.
(Principal)
by John W. Smilanich (Seal)
John W. Smilanich
Assistant Vice President-Sales

~~NATIONAL FIRE INS. CO. OF HARTFORD~~
(Surety)
by Jeanne A. McBride
Jeanne A. McBride, Attorney-in-Fact

G-23054-C

National Fire Insurance Company of Hartford

CNA

For All the Commitments You Make®

Office/Chicago, Illinois

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men by these Presents, That the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, a corporation duly organized and existing under the laws of the State of Connecticut, and having its general administrative office in the City of Chicago, and State of Illinois, does hereby make, constitute and appoint R. Robert Howard, Laura M. Kozlowski, Alan McCormick, Jeanne A. McBride, Rosemary Ulicki, Individually

of Milwaukee, Wisconsin

its true and lawful Attorney-in-Fact with full power and authority hereby conferred to sign, seal and execute in its behalf bonds, undertakings and other obligatory instruments of similar nature - In Unlimited Amounts for any and all Bid, Performance and/or Payment Bonds on behalf of Badger Meter, Inc., Milwaukee, Wisconsin. -

and to bind the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NATIONAL FIRE INSURANCE COMPANY OF HARTFORD and all the acts of said Attorney, pursuant to the authority hereby given are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the following Resolution duly adopted on February 21, 1955 by the Board of Directors of the Company.

RESOLVED: That the President, an Executive Vice President or any Vice President of the Corporation may, from time to time, appoint, by written certificates, Attorneys-in-Fact to act in behalf of the Corporation in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. Such Attorneys-in-Fact, subject to the limitations set forth in their respective certificates of authority, shall have full power to bind the Corporation by their signature and execution of any such instrument and to attach the seal of the Corporation thereto. The President, an Executive Vice President, any Vice President or the Board of Directors may at any time revoke all power and authority previously given to any Attorney-in-Fact.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 14th day of May, 1964.

RESOLVED: That the signature of the President, an Executive Vice President or a Vice President and the seal of the Corporation may be affixed by facsimile on any power of attorney granted pursuant to the Resolution adopted by this Board of Directors on February 21, 1955 and the signature of a Secretary or an Assistant Secretary and the seal of the Corporation may be affixed by facsimile to any certificate of any such power, and any power or certificate bearing such facsimile signatures and seal shall be valid and binding on the Corporation. Any such power so executed and sealed and certified by certificate so executed and sealed, shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Corporation.

In Witness Whereof, the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed this 12th day of August, 19 88.

NATIONAL FIRE INSURANCE COMPANY OF HARTFORD

J. E. Purtell — Vice President.

State of Illinois, County of Cook, ss:

On this 12th day of August, 19 88, before me personally came J. E. Purtell, to me known, who, being by me duly sworn, did depose and say: that he resides in the Village of Glenview, State of Illinois; that he is a Vice-President of the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, the corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

Linda C. Dempsey NOTARY PUBLIC Cook Co., Ill.

Linda C. Dempsey — Notary Public.

My Commission Expires November 12, 1990

CERTIFICATE

I, Robert E. Ayo, Assistant Secretary of the NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the Resolutions of the Board of Directors, set forth in said Power of Attorney are still in force. In testimony whereof I have hereunto subscribed by name and affixed the seal of the said Company this 9th day of April, 19 90

Robert E. Ayo — Assistant Secretary

6-23142-C

INV. NO G-57440-B

Badger Meter, Inc.

4545 W. Brown Deer Road, P.O. Box 23099
Milwaukee, WI 53223-0099 (414) 355-0400

C E R T I F I C A T E

RESOLVED, that any officer of the Company be and hereby is authorized to sign any bids, offers to sell, contracts of sale and related documents, when such bids, offers to sell, contracts of sale and related documents apply only to the sale of goods in the ordinary course of business, and any usual or customary undertakings attendant thereto;

I certify that the above is a true and correct copy of a resolution adopted by the Board of Directors of Badger Meter, Inc. at a meeting on May 23, 1980, at which a quorum was present. I further certify that this resolution is in full force and effect as of this date.

April 9, 1990
DATE

R. Robert Howard, Secretary

Badger Meter, Inc.

April 9, 1990

DELIVERY SCHEDULE

1,500 - 5/8" RCDL 25 Bronze, W/Read-o-Matic

500 Meters	-	Every 20 Days Until Completed

4,200 - 5/8" x 3/4" RCDL 25 Bronze, W/Read-o-Matic

1,000 Meters	-	Every 20 Days Until Completed

50 - 3/4" RCDL 40 Bronze, W/Read-o-Matic

50 Meters	-	10 Days After Receipt of Order

40 - 1" RCDL 70, W/Read-o-Matic

20 Meters	-	20 Days After Receipt of Order
20 Meters	-	40 Days After Receipt of Order

5 - 2" RCDL Compound, W/Read-o-Matic

5 Meters	-	10 Days After Receipt of Order

5 - 2" RCDL II Turbo, W/Read-o-Matic

5 Meters	-	10 Days After Receipt of Order

20 - 3/4" RCDL 40 Bronze

20 Meters	-	10 Days After Receipt of Order

60 - 1" RCDL 70

20 Meters	-	20 Days After Receipt of Order
20 Meters	-	40 Days After Receipt of Order
20 Meters	-	60 Days After Receipt of Order

50 - 2" RCDL II Turbo, Elliptical

25 Meters	-	20 Days After Receipt of Order
25 Meters		40 Days After Receipt of Order

80 - 2" RCDL Compound, Elliptical

10 Meters	-	20 Days After Receipt of Order
10 Meters	-	40 Days After Receipt of Order
20 Meters	-	Every 20 Days Until Completed

DELIVERY SCHEDULE (CON'T)

15 - 3" RCDL II Turbo

15 Meters - 20 Days After Receipt of Order

15 - 3" RCDL Compound

5 Meters - 20 Days After Receipt of Order
5 Meters - 40 Days After Receipt of Order
5 Meters - 60 Days After Receipt of Order

10 - 3" RCDL II Turbo FH

10 Meters - 15 Days After Receipt of Order

5 - 4" RCDL II Turbo

5 Meters - 10 Days After Receipt of Order

5 - 4" RCDL Compound

5 Meters - 20 Days After Receipt of Order

1 - 4" RCDL Turbo I

1 Meter - 20 Days After Receipt of Order

6 - 6" RCDL II Turbo, W/Bronze Strainer

6 Meters - 20 Days After Receipt of Order

2 - 6" RCDL II Turbo

2 Meters - 10 Days After Receipt of Order

4 - 6" RCDL Turbo I

4 Meters - 80 Days After Receipt of Order

NOTE: Special #22 Gauge Read-o-Matic Wire requires 8 weeks lead time

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: April 9, 1990

1. Governmental Unit: City of Fort Wayne, IN
2. County: Allen
3. Bidder (Firm): BADGER METER, INC.
   Address: 4545 W. Brown Deer Rd.
   City/State: Milwaukee, WI 53223
4. Telephone Number: (414) 355-0400
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to Fort Wayne, IN (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

John W. Smilanich
Signature of Bidder or Agent

John W. Smilanich
Assistant Vice President-Sales

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF WISCONSIN)
) SS:
MILWAUKEE COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

BADGER METER, INC.
Bidder (Firm)

John W. Smilanich
Signature of Bidder or Agent

John W. Smilanich, Asst. Vice Preside
Sale

Subscribed and sworn to before me this 9th day of April, 19 90.

My Commission Expires: May 9, 1993

County of Residence: Milwaukee

Rosemary Ulicki
Notary Public

Rosemary Ulicki
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

Badger Meter, Inc.

April 9, 1990

PROPOSAL - CITY OF FORT WAYNE
WATER METER BID - 4/12/90

Qnty	Description (BADGER)	Unit Price	Total
	WATER METERS - W/REMOTE		
1,500	5/8" RCDL 25 Bronze, Read-o-Matic W/25' Wire	$ 35.50	$ 53,250.00
4,200	5/8" x 3/4" RCDL 25 Bronze, Read-o-Matic, W/25' Wire	35.50	149,100.00
50	3/4" RCDL 40 Bronze, Read-o-Matic W/25' Conductor Wire	59.90	2,995.00
40	1" RCDL 70, Read-o-Matic, W/25' Wire	82.95	3,318.00
5	2" RCDL Compound, Read-o-Matic, W/25' Wire	912.00	4,560.00
5	2" RCDL II Turbo, Read-o-Matic W/25' Wire	268.00	1,340.00
	METERS - REGULAR		
20	3/4" RCDL 40 Bronze	48.00	960.00
60	1" RCDL 70	69.00	4,140.00
	METERS - LARGE		
50	2" RCDL II Turbo	258.00	12,900.00
80	2" RCDL Compound	902.00	72,160.00
15	3" RCDL II Turbo	361.00	5,415.00
15	3" RCDL Compound	1,010.00	15,150.00
10	3" RCDL II FH	428.00	4,280.00
5	4" RCDL II Turbo	543.00	2,715.00
5	4" RCDL Compound	1,660.00	8,300.00
1	4" RCDL I Turbo (Fire Line)	1,463.75	1,463.75
6	6" RCDL II Turbo, Bronze Strainer	1,486.00	8,916.00
2	6" RCDL II Turbo	1,236.00	2,472.00
4	6" RCDL I Turbo (Fire Line)	2,105.00	8,420.00
		TOTAL:	$361,854.75

Read the first time in full and on motion by Burns, seconded by Edmonds, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____.M.,E.S.T.

DATED: 5-22-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY				✓
BURNS	✓			
EDMONDS	✓			
GiaQUINTA				✓
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 6-12-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ (GENERAL) (SPECIAL) ~~(ZONING MAP)~~ ORDINANCE RESOLUTION NO. S-126-90 on the 12th day of June, 19 90,

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL

Charles S. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 19 90, at the hour of 11:45 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 22nd day of June, 19 90, at the hour of 3:00 o'clock P.M.,E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 937 for water meters for the Water Maintenance & Service Department. The costs reflect the most responsive of four (4) vendors.

S-90-05-36

EFFECT OF PASSAGE: Water meters measure the amount of water used by each customer so that each will pay according to their own usage. The meters will be used to replace obsolete meters and new installations.

EFFECT OF NON-PASSAGE: Would not be able to collect the proper revenue for each customer.

MONIES INVOLVED:	Sensus Tech	$148,557.85 +/-
	Badger Meter	$246,701.00 +/-
PRICE AGREEMENT:	Yes	
PURCHASE ORDER:		
SOURCE OF FUNDING:	Water Maint	513-523-W154-4299

PRIOR APPROVAL: DATE:
(IF APPLICABLE)

BILL NO. S-90-05-36

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN
MARK E. GiaQUINTA, VICE CHAIRMAN
HENRY, LONG, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #937 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and SENSUS TECHNOLOGIES, INC. AND BADGER METER, INC. for the Water Maintenance & Service Department

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Paul M. Burns			
Mark E. GiaQuinta			
Henry Long			
Samuel J. Talarico			

DATED: 6-12-90.

Sandra E. Kennedy
City Clerk